

TOWN OF FOXBOROUGH
Board of Selectmen – Executive Session
August 31, 2010

Members Present: Lynda Walsh, Chairman
Larry Harrington, Vice Chairman
James J. DeVellis, Clerk
Lorraine Brue
Paul Mortenson

Others Present: Attorney John Davis
Attorney Deborah Ecker
William McKinnon, MIIA
Police Chief O'Leary
Attorney Leo Peloquin
Paul Steeves, Board of Health

The meeting was brought to order at 6:00 p.m. by Lynda Walsh, Chairman..

Discussion on suit involving the Board of Health.

Attorney Leo Peloquin, Labor Counsel, gave a brief review of the status of the suit involving the Board of Health and two employees, Andrea McGillicuddy and Marc Macfarland. Attorney Peloquin has received a proposal to settle this claim. Ms. McGillicuddy is asking for a year's pay, attorney's fees and some type of positive letter in her file as to why she left the position. Ms. Macfarland is asking for 13 weeks pay, attorney's fees and removal of certain disciplinary actions from her file. Andrea McGillicuddy is out of the Board of Health Marc Macfarland would like to stay. Attorney Deborah Ecker pointed out that this would not go away until it is resolved. She is of the opinion that the Town could win this case.. A defamation claim was unsuccessful. A claim could be filed under the Family Medical Leave Act. Leo Potter suggested that this would be an opportune time to settle the case. He feels the demands are reasonable. Attorney Deborah Ecker suggested exploring settlement, perhaps giving some severance pay to Andrea MacGillicuddy possibly two months so there would not be a future retaliation complaint.

Motion by Larry Harrington to authorize Attorney Leo Peloquin to explore settlement. Seconded by Paul Mortenson.

Vote: 5-0-0	Lynda Walsh, Chairman	Yes
	Larry Harrington, Vice Chair.	Yes
	Jim DeVellis, Clerk	Yes
	Lorraine Brue	Yes
	Paul Mortenson	Yes

Motion by Larry Harrington to exit Executive Session and go into the regularly scheduled open Board of Selectmen's meeting at 7:00 p.m. Seconded by Paul Mortenson..

Vote: 5-0-0	Lynda Walsh, Chairman	Yes
	Larry Harrington, Vice Chairman	Yes
	Jim DeVellis, Clerk	Yes
	Lorraine Brue	Yes
	Paul Mortenson	Yes

Meeting adjourned at 7:00 p.m.